

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** FOI-19-1642 - Short Term Lets  
**Date:** 14 January 2020 14:16:23  
**Attachments:** [V3 - Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 3 December 2019 and please accept our apologies for delay in providing the response to you. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

**Please could you provide the following under the Freedom of Information Act:**

**1. The number of reports of, or complaints regarding, noise or antisocial behaviour relating to short-term lets such as Airbnb in each financial year from 2015/16 to 2018/19 (or the most recent figures available).**

We are unable to provide you with information on **the number of reports of, or complaints regarding, noise or antisocial behaviour relating to short-term lets** as the cost of providing it has been calculated as being in excess of the statutory maximum (£600). To explain this, it would involve an ACC Officer going through every contact record for each of the years requested, we average 3000 calls per year. This has been calculated at 10 minutes per record, which equates to 500 hours, at the cost of £7,500 in total per year.

In order to comply with our obligations under the terms of Section 16 of the FOISA, we hereby give notice that we are refusing your request under the terms of Section 12 - Excessive Cost of Compliance - of the FOISA.

We would be happy to discuss ways in which you may refine your request, so we can provide some information of interest to you within the maximum cost limits. For example, by reducing the time period you are interested in. Please do contact the Access to Information team, who will be happy to advise you, if this is something you would like to pursue.

**2. The number of reports of, or complaints regarding, unlawful subletting of council owned properties relating to short-term lets such as Airbnb in each financial year from 2015/16 to 2018/19 (or the most recent figures available).**

We are unable to provide you with information on **the number of reports of, or complaints regarding, unlawful subletting of council owned properties relating to short-term lets** as it is not held by ACC. In order to comply with our obligations under the terms of Section 17 of the FOISA, we hereby give notice that this information is not held by us.

**3. The number of investigations into unlawful subletting of council owned properties relating to short-term lets such as Airbnb in each financial year from 2015/16 to 2018/19 (or the most recent figures available) by the council.**

We are unable to provide you with information on **the number of investigations into unlawful subletting of council owned properties relating to short-term lets** as it is not held by ACC. In order to comply with our obligations under the terms of Section 17 of the FOISA, we hereby give

notice that this information is not held by us.

**4. For point 3, please can you also detail the outcomes of any investigations that have been concluded, in each financial year from 2015/16 to 2018/19 (or the most recent figures available).**

We are unable to provide you with information on **the outcomes of any investigations that have been concluded** as it is not held by ACC. In order to comply with our obligations under the terms of Section 17 of the FOISA, we hereby give notice that this information is not held by us.

**5. The number of reports of, or complaints regarding, leaseholders subletting without their landlord's permission relating to short-term lets such as Airbnb in each financial year from 2015/16 to 2018/19 (or the most recent figures available).**

Part 8 of The Antisocial Behaviour etc.(Scotland) Act 2004, as amended, obliges landlords in Scotland to register with their local authorities. Scottish Government 2009 guidance states that *"in general terms, a person requires to be registered if he or she is the owner of residential property which is subject to a lease or occupancy agreement and is not specifically excluded."* One such exclusion/exemption is 'houses for holiday use', which is now generally referred to as 'short-term lets'. Accordingly, there's no legal requirement for owners of such properties to apply for Landlord Registration. Even if an owner applies for Landlord Registration, the national online Registration system does not require the owner to declare whether their property will be occupied by 'traditional' tenants on a Private Residential Tenancy, or by persons via the Airbnb, or similar, website.

There were no reports of, or complaints regarding leaseholders subletting without their landlord's permission relating to short-term lets, such as Airbnb, recorded by the Customer Feedback Team in any financial year from 2015/16 to 2018/19.

We follow the Scottish Local Authority Complaints Handling Procedure. Under this procedure, a 'complaint' is defined as "an expression of dissatisfaction regarding our actions, or lack of action, or the standard of service provided by us or on our behalf". There are some topics that cannot be considered as a 'complaint', such as the matter above, as this does not relate to our actions or a service we provide. For more information on this matter please visit [www.aberdeencity.gov.uk/complaints](http://www.aberdeencity.gov.uk/complaints) and refer to the 'What is a complaint?' section.

#### **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

We handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

We hope this helps with your request.

Yours sincerely,

Access to Information Team

Aberdeen City Council | Access to Information Team | Customer Feedback  
|Customer

Marischal College | Business Hub 6, 1<sup>st</sup> Floor | Broad Street | Aberdeen | AB10  
1AQ



Dial: 01224 522166

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) | Twitter: @AberdeenCC |

Facebook.com/AberdeenCC